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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,246	09/30/2003	Peter T. Barrett	MS1-1435US	6392
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LEE & HAYES PLLC 421 W RIVERSIDE AVENUE SUITE 500 SPOKANE, WA 99201			EXAMINER RYAN, PATRICK A	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/676,246

Applicant(s)

BARRETT ET AL.

Examiner

Patrick A. Ryan

Art Unit

4126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 September 2003.
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-35 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on 30 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB-08)
Paper No(s)/Mail Date 1/10/2005
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____

DETAILED ACTION

1. This is a first Office Action based on the 10/676246 application filed September 30, 2003. As originally filed, Claims 1-35 are presented for examination.

Specification

2. The disclosure is objected to because of the following informalities: "pay-per-view (PPV) content" is disclosed in Paragraph [0083] as element 642, but depicted as element 650 in Figure 6.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-9, 18-20, 28-30, 31, 34, and 35 are rejected under 35 U.S.C 102(e) as being anticipated by Zaslavsky et al. US Patent Application Publication (2003/0014752 A1), hereinafter Zaslavsky.
5. In reference to Claim 5, Zaslavsky teaches a method comprising reducing the scale of a video feed to produce its "thumbnail" video feed (size conversion function 401

of Figure 10, as described in Paragraph [0127]) and then transmitting the thumbnail video feed over a communications network (broadcast channel 410 of Fig. 10, as described in Paragraph [0128]).

6. In reference to Claim 6, Zaslavsky teaches a method further comprising receiving a request for the thumbnail version of the video feed, wherein the transmitting is preformed in response to such request ("User input selecting "channel" for textural mapping" received by input circuit 1708 of Fig. 17, also see Fig. 18 and Paragraph [0141-0142]).

7. In reference to Claim 7, Zaslavsky teaches a method further comprising preprocessing the video feed to aid in producing a low-resolution version(20X16) (further processing with encoding and multiplexer element 402 to create separate stream 1-100, as disclosed in Paragraph [0127]).

8. In reference to Claim 19, Zaslavsky teaches a method for production of a user-interface (UI) comprising: receiving one or more scale-reduced versions of video feeds over a communication network (stream 501 comprising little streams 505 a-n, as disclosed in Paragraphs [0129 and 0130]); constructing and presenting a UI comprising the one or more thumbnail video feeds (block 803 of Fig. 14, as described in Paragraph [0135]).

9. In reference to Claim 20, Zaslavsky teaches a method further comprising requesting one or more thumbnail video feeds ("...navigate the selection frame, and

select preferred channel.” as disclosed in Paragraph [0137] in reference to stream 901 of Fig. 15).

10. In reference to Claim 28, Zaslavsky teaches a computer comprising one or more computer-readable media having computer-executable instructions (hardware 1700, as described in Paragraph [0141]) that, when executed by the computer, perform the method as recited in Claim 19.

11. In reference to Claims 1, Zaslavsky teaches a computer-readable medium having computer-executable instructions (hardware 1800 of Fig. 18 performing the process of Fig. 10, as described in Paragraph [0124]) that, when executed by a computer (CPU 1808 of Fig 18, as described in Paragraph [0124]), performs the method of Claim 5.

12. In reference to Claim 2, Zaslavsky teaches a medium as recited in Claim 1, wherein the method further comprises the limitations of Claim 6.

13. In reference to Claim 3, Zaslavsky teaches a medium as recited in Claim 1, wherein the method further comprises the limitations of Claim 7.

14. In reference to Claim 4, Zaslavsky teaches a computing device comprising a media-stream transmitter (transmission circuit 1806 of Figure 18, as described in Paragraph [0142] Lines 9-11) in conjunction with a medium as recited in Claim 1.

15. In reference to Claim 8, Zaslavsky teaches a computer-readable medium having computer-executable instructions (program memory 202, as described in Paragraph

[0096] Lines 9-11) that, when executed by a computer (CPU 200 as described in Paragraph [0096] Lines 9-11), performs the method of Claim 19.

16. In reference to Claim 9, Zaslavsky teaches a medium as recited in Claim 8, wherein the method further comprises the limitations of Claim 20.

17. In reference to Claim 18, Zaslavsky teaches a computing device comprising a media-stream presentation device (receiving circuit 1702 of Fig. 17, as described in Paragraph [0141] Lines 3-6) in conjunction with a medium as recited in Claim 8.

18. In reference to Claim 29, Zaslavsky teaches a multimedia system comprising a receiving unit configured for receiving one or more scaled-reduced version of video feeds over a communications network (stream 501 comprising little streams 505 a-n, as disclosed in Paragraphs [0129 and 0130]); a UI generator configured to generate a UI comprising the one or more thumbnail video feeds (interface block 803 of Fig. 14, as described in Paragraph [0135]); and a presentation device configured for presentation of the UI ("The EPG can be displayed on a television, personal computer, or a device that is a combination..." as disclosed in Paragraph [0114] Lines 7-9).

19. In reference to Claim 30, Zaslavsky teaches the system of Claim 29 further comprising a UI selection device configured for the user to either highlight or select the one or more thumbnail video feeds (alphanumeric keyboard 218 of Fig. 7, as described in Paragraph [0112] Lines 14-19).

20. In reference to Claim 31, Zaslavsky teaches a compute-readable medium having computer-executable instructions (program memory 202, as described in Paragraph [0096] Lines 9-11) that, when executed by a computer, produce a UI of a multimedia system (screen 801 of Fig. 14, as described in Paragraph [0135]), the UI comprising multiple thumbnail display areas (interface block 803 of Fig. 14, as described in Paragraph [0135]), each are configured to display a reduced-scale video feed (any one of elements 810a-f, as described in Paragraph [0135]) received via a communications network.

21. In reference to Claim 34, Zaslavsky teaches a medium as recited in Claim 31, wherein each thumbnail video feed display is a separate and distinct video feed (video streams 810x, 810y, and 810z of Fig. 16, as described in Paragraph [0138] Lines 4-13).

22. In reference to Claim 35, Zaslavsky teaches a medium as recited in Claim 31, wherein the UI further comprises an executable program module configured to respond to a user's selection of one of the multiple thumbnail display areas (transducer 212 of Fig. 7, as described in Paragraph [0097] Lines 1-9).

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

24. Claims 10-14 and 21-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zaslavsky US Patent Application Publication (2003/0014752 A1) in view of Gordon et al. US Patent (6,481,012 B1), hereinafter Gordon.

25. In reference to Claim 21 and 22, Zaslavsky teaches a method for facilitating the construction, presentation, and production of a UI comprising receiving one or more scaled-reduced version video feeds sent over a communications network. Zaslavsky further teaches a method of receiving a highlight indication for one of the presentation thumbnail video feeds (highlighted frame of channel 911 shown in Fig. 15, as disclosed in Paragraph [0137] Line 3), but does not teach that the method comprises presenting audio that corresponds to one of the present thumbnail video feeds.

In a similar field of invention, Gordon teaches a method for generating, distributing, and receiving a transport stream containing compressed video and graphics information. Gordon's method further comprises presenting audio corresponding to video object packets (as performed by remultiplexer 2506 of Fig. 25, as described in Col. 23 Lines 12-20).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combined the scaled-reduced video feed method of Zaslavsky with the audio presentation method of Gordon because a large majority of today's video broadcast are inherently multicast with corresponding audio, which makes it desirable for the user to hear this audio when viewing a selected program.

26. In reference to Claim 23 and 24, Zaslavsky teaches a method for facilitating the construction, presentation, and production of a UI comprising receiving one or more scaled-reduced version video feeds sent over a communications network, but does not teach requesting a full-scale version of a select one of the presented thumbnail video feeds and zooming the select one of the presented thumbnail video feeds so that it inhabits much or all of the available screen space.

In a similar field of invention, Gordon teaches a method for generating, distributing, and receiving a transport stream containing compressed video and graphics information. Gordon's method further comprises "interacting with an object by selecting it to activate a full-resolution broadcast channel" (as disclosed in Col. 24 Lines 11-14). Following the selection in the thumbnail view (shown as CH-E of Fig 28), the display changes to a full-resolution view (display 2802 of Fig 28) of the video broadcast for channel E (as disclosed in Col. 24 Lines 14-19).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combined the scaled-reduced video feed method of Zaslavsky with the full-resolution activation method of Gordon. A viewer would inherently desire to display a

full resolution and full screen image in order to dedicate their full attention to the broadcast program of interest.

- 27. The limitations of Claim 10 have been addressed previously in Claims 8 and 21.
- 28. The limitations of Claim 11 have been addressed previously in Claims 8 and 22.
- 29. The limitations of Claim 12 have been addressed previously in Claims 8 and 23.
- 30. The limitations of Claim 13 have been addressed previously in Claims 8 and 24.
- 31. The limitations of Claim 14 have been addressed previously in Claims 8 and 24.

32. Claims 15-17, 25-27, 32, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zaslavsky US Patent Application Publication (2003/0014752 A1) in view of Norsworthy et al. US Patent (6,784,945 B2), hereinafter Norsworthy.

33. In reference to Claims 15, 16, 25, 26, 32, and 33, Zaslavsky teaches a method and medium for facilitating the construction, presentation, and production of a UI comprising receiving one or more scaled-reduced version video feeds sent over a communications network, but does not teach a method or medium for presenting information associated with the one or more thumbnail video feeds.

In a similar field of invention, Norsworthy teaches a system for generating, distributing, and receiving a transport stream containing compressed video and graphics information. Norsworthy's method further comprises the construction and display of an Electronic Program Guide (Fig. 7) that includes informational displays 71-74 and signals 701-704 (as disclosed in Col. 6 Lines 8-14). Norsworthy's method is implemented in a

memory module (memory 14) connected to a processor (video processing 15 as disclosed in Col. 4 Lines 26-34).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combined the scaled-reduced video feed method and medium of Zaslavsky with the information display method and medium of Norsworthy because this information and video display would give the viewer a general visual impression of what is on the channel (as disclosed by Norsworthy is Col. 6 Lines 1-5), which would therefore further aid the view in determining if the program is desirable enough to watch.

34. In reference to Claim 17 and 27, Zaslavsky teaches a method and medium for facilitating the construction, presentation, and production of a UI comprising receiving one or more scaled-reduced version video feeds sent over a communications network, but does not teach a method and medium for constructing and presenting an UI with an on-going full scale video feed.

In a similar field of invention, Norsworthy teaches a system for generating, distributing, and receiving a transport stream containing compressed video and graphics information. Norsworthy's method further comprises a display having a main picture 21 and a plurality of other picture-in-picture displays 21-1 through 22-n (as disclosed in Col.3 Lines 39-45 with reference to Fig. 2). Norsworthy's method is implemented using a specific tuner to display the picture-in-picture images (tuner 11 of Fig. 2, as described in Col. 3 Lines 34-38).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combined the scaled-reduced video feed method and medium of Zaslavsky

with the display method and medium of Norsworthy because the user would gain the ability to view multiple channels at one time (as Norsworthy discloses in Col.1 lines 21-27).

Conclusion

35. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Applicant is reminded that in amending in response to a rejection of claims, the patentable novelty must be clearly shown in view of the state of the art disclosed by the references cited and the objections made. Applicant must show how the amendments avoid such references and objections. See 37 CFR 1.111(c).

36. US Patent (5,621,456 A), Florin et al. discloses a method and apparatus for creating and displaying a grid style picture-in-picture interface that includes that can accommodate and display a plurality of audio-visual inputs.

37. US Patent (6,115,080 A), Reitmeier discloses a method of processing and displaying a picture-in-picture montage of frame reduced video streams.

38. US Patent (6,918,132 B2), Gargi discloses a method for displaying different reduced-scale and continuously updated real time video broadcasts. In addition, header information may be used to display additional information pertaining to the reduced-scale content.

39. US Patent Application Publication (2004/0150751 A1) Phillips et al., discloses a system and method for transmitting video streams in a reduced resolution bandwidth when a picture-in-picture display is desirable.

Art Unit: 2629

40. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Patrick A. Ryan whose telephone number is (571) 270-5086. The examiner can normally be reached on Mon to Thur, 8:00am - 5:00pm EST.

41. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dennis Chow can be reached on (571) 272-7767. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Patrick A Ryan/
Examiner, Art Unit 4126
December 4, 2007

/Lun-Yi Lao/
Primary Examiner, Art Unit 2629